

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)**

JAMES DEMPSEY

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Plaintiff,

*

Civil Action No.: 1:13-cv-01363-CCB

v.

*

WELLS FARGO BANK, N.A., et al.

*

Defendants.

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**JOINT ALTERNATIVE MOTION TO STRIKE SUPERFLUOUS
ALLEGATIONS IN THE COMPLAINT BY WELLS
FARGO BANK, N.A. AND BANK OF AMERICA, N.A.**

Defendants, Wells Fargo Bank, N.A. and Bank of America, N.A., by their undersigned counsel, and pursuant to Rules 12(b) and 12(f) of the Federal Rules of Civil Procedure by separate motion have moved to dismiss the Complaint. To the extent all claims against these Defendants are not dismissed, they hereby move, in the alternative, to strike certain allegations of the Complaint filed by James Dempsey. For reasons set forth in the Memorandum of Defendants, Wells Fargo Bank, N.A. and Bank of America, N.A. in Support of Their Motion To Dismiss Complaint And Alternative Motion To Strike Superfluous Allegations, this Motion to Strike should be granted.

/s/ Virginia W. Barnhart

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and Bank of America, N.A.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of May, 2013, a copy of the foregoing Motion to Strike was served on the following via the Court's CM/ECF system:

Phillip R. Robinson
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Frederick, Maryland 21703

Counsel for Plaintiff

/s/ Virginia W. Barnhart
Virginia W. Barnhart